

03-11-04



PATENT  
Attorney Docket No. 1948/US/3  
Express Mail Label No. EV447463228US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**John R. KLUG**

Serial No. 10/673,073

Filed: **September 27, 2003**

For: **METHOD AND APPARATUS FOR  
IDENTIFYING, MANAGING, AND  
CONTROLLING COMMUNICATIONS**

Examiner: **Not Known**

Group Art Unit: **2157**

Confirmation No.: **9290**

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

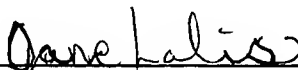
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Information Disclosure Statement Under 37 C.F.R. §§ 1.97(b)(3);
2. Form PTO-1449 with copies of 38 cited references;
3. Certificate of Mailing by Express Mail; and
4. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV447463228US with the United States Postal Service, addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9 day of March, 2004.

  
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**INFORMATION DISCLOSURE STATEMENT  
Under 37 C.F.R. §§ 1.97(b)(3)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97, the Examiner may wish to consider the references listed on the attached Form PTO-1449. In submitting these references for the Examiner's consideration, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality.

Copies of the 38 cited documents are provided herewith.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(b)(3) before the mailing of a first Office action. Thus, no petition fee is required. However, should any fees be due, please charge Deposit Account No. 04-1415 accordingly.

Signed at Denver, Colorado, this 7<sup>th</sup> day of March, 2004.

  
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<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> <b>(Modified) PATENT AND TRADEMARK OFFICE</b>		ATTY. DOCKET NO. <b>1948/US/3</b>	SERIAL NO. <b>10/673,073</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)		APPLICANT: <b>John R. KLUG</b>	CONFIRMATION NO.: <b>9290</b>
		FILING DATE <b>September 27, 2003</b>	GROUP ART UNIT: <b>2157</b>

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	6,192,114	02/20/2001	Council	379	114	
	2.	6,587,550	07/01/2003	Council et al.	379	100.08	

EXAMINER INITIAL		PUBLICATION NUMBER	PUBLICATION DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3.	2002/0065897	05/30/2002	Voticky et al. 09/683,315	709	207	12/13/2001
	4.	2002/0120702	08/29/2002	Schlavone et al. 09/792,936	709	207	02/26/2002
	5.	2002/0120705	08/29/2002	Schlavone et al. 10/084,038	709	207	02/26/2002
	6.	2003/0029672	12/11/2003	Kohn 10/163,842	709	207	06/05/2002
	7.	2004/0034694	02/19/2004	Brown et al. 10/219,629	709	207	08/15/2002

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	8.	Author Unknown "Crack Down on Spam," Editorial from The New York Times, April 29, 2003.
	9.	Author Unknown, "Spam FAQ," The Wall Street Journal, June 19, 2002.
	10.	Beauprez, Jennifer, "High-tech war pits sleuth vs. spammer," Denver Post, January 19, 2003.
	11.	Borland, John, "Web standards group to tackle spam," CNET News.com, May 9, 2003.
	12.	Bowman, Lisa M., "Congestion charge for spam?," CNET News.com, May 9, 2003.
	13.	Brøndmo, Hans Peter, Conference Roundtable Luncheon – Solving Spam by Introducing Sender Accountability," ISP-CON Convention, May 6, 2003.
	14.	France, Mike, "Needed Now: Laws to Can Spam," Business Week, September 26, 2002.
	15.	Hansell, Saul, "Big Companies Add to Spam," The New York Times, October 28, 2003.
	16.	Jesdanun, Anick, "Anti-Spam Program Raises Backfire Fears," InformationWeek, June 5, 2003.
	17.	Jesdanun, Anick, "EarthLink software challenges spammers to prove they're human; critics say it's a 'knee-jerk response' that threatens e-mail itself," Rocky Mountain News, June 9, 2003.
	18.	Kandra, Anne, "Consumer Watch: Are You Helping a Spammer?," PC World Magazine, September 2003.
	19.	Kontzer, Tony, "New Spam Fighter Uses Controversial Technique," InformationWeek, June 10, 2003.
	20.	Kraut, Robert E., et al., "Markets for Attention: Will Postage for Email Help?," CSCW'02, November 16-20, 2002, New Orleans, Louisiana, USA, Copyright 2002 ACM 1-58113-560-2/02/001, pp. 206-215.

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> <b>(Modified) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	ATTY. DOCKET NO.	SERIAL NO.
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	APPLICANT:	CONFIRMATION NO.:
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	<b>September 27, 2003</b>	<b>2157</b>

Sheet 2 of 2

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

21.	Lee, Jennifer, "Spam: An Escalating Attack of the Clones," The New York Times, June 27, 2002.
22.	Mangalindan, Mylene, "Start-Ups Work to Curb Spam – and Turn a Profit," The Wall Street Journal, June 19, 2002.
23.	Mangalindan, Mylene, "Multiplying Spam Spurs New Legislative Efforts," The Wall Street Journal, June 19, 2002.
24.	Mangalindan, Mylene, "For Bulk E-Mailer, Pestering Millions Offers Path to Profit," The Wall Street Journal, November 13, 2002.
25.	Manktelow, Nicole, "Spicing up spam," smh.com.au, April 11, 2003.
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28.	Mossberg, Walter S., "ChoiceMail Designs Best Traffic Cop Yet to Thwart Spammers," Personal Technology, The Wall Street Journal, July 11, 2002
29.	Mossberg, Walter S., "Sprint's Speedy Treo Has Better E-Mailing and More Battery Life," Personal Technology, The Wall Street Journal, September 19, 2002.
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31.	Robbins, Alexandra, "You Spam, You Pay," PC Magazine, April 30, 2003.
32.	Sandberg, Jared, "To List of Annoyances Add Office E-Mails: Enlargement Anyone?," Cubicle Culture, The Wall Street Journal, February 19, 2003.
33.	Spector, Lincoln, "Could You Be Sending Spam?," PC World.com, May 30, 2003.
34.	Spring, Tom, "Spam Slayer: Beware Spam's Siblings," PC World.com, November 3, 2003.
35.	Swartz, Jon, "Spam tussle spreads to cell phones," USA Today, June 16, 2003.
36.	Swibel, Matthew, "Pay Up!," Forbes.com, July 7, 2003.
37.	Wagner, Mitch, "How Spammers Will Beat Challenge-Response Systems, And Other Conversations About Spam (Wagner's Weblog)," Internetweek.com, June 13, 2003.
38.	Waldman, Steven, "From Soccer Moms to Spam Dads," slate.msn.com, May 22, 2003.

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

4817-4427-8016\1